It is respectfully requested that the order of inventorship reflect Sean Rodwell-Simon as the first named inventor, as is reflected on the executed Declaration filed with the Petition.

### **REMARKS**

The above referenced application has been allowed by the Examiner. Concurrent with payment of the Issue Fee, Applicants submit this Amendment for clarification of the inventors to be named in the above referenced application.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY U.S. LLP

Steven B. Kelber

Registration No. 30,073 Attorney of Record

Lisa K. Norton

Registration No. 44,977

1200 Nineteenth Street, N.W. Washington, D.C. 20036-2412 Telephone No. (202) 861-3900 Facsimile No. (202) 223-2085



## **APPENDIX A**

## TO THE

# AMENDMENT UNDER 37 C.F.R. §1.312

ATTORNEY DOCKET NO. 9570-001-27 IN RE APPLICATION OF: SEAN RODWELL-SIMON, ET AL. (AS AMENDED) SERIAL NO.: 09/665,757

FILING DATE: SEPTEMBER 20, 2000



PATENT/DC

Docket No.: 9570-001-27 By: SBK/LKN/vrb
PIPER RUDNICK No.: 30034-6
Serial No.:09/665,757
In the Matter of the Application of: <u>John J. PERELESS</u> , et al.
For: METHOD AND SYSTEM FOR RESUME STORAGE AND RETRIEVAL
The following has been received in the U.S. Patent Office on the date stamped hereon:
[] pp. Specification & Claims/Drawings Sheets
[] Combined Declaration, Petition & Power of Atty. (_ Pages / Executed
[] Utility Patent Application Transmittal
[] Continued Prosecution Application
[] Request for Continued Examination (RCE)
[] List of Inventors' Names and Addresses   MAR 2 1 200 2
Fee Transmittal
[ Check for \$130.00 [ Sep. Accs Order For
[ Letter (Transmittal)
Petition to Correct Inventorship Under 37 C.F.R. §1.48(a)
Exhibit 1 - Substitute Declaration of Chris N. McRae and Sean Rodwell-
Simon (2 pages, executed)
Exhibit 2 - Declaration by Mr. Rodwell-Simon (executed)
Exhibit 3 - Declaration by Wilburn Chesser, including Exhibit (A) a
copy of Certified Mail letter to Mr. John J. Pereless and Exhibit (B)
a copy of Certified Mail Receipt (executed)
Exhibit 4 - A copy of an assignment by John J. Pereless and
Christopher N. McCrae to The Works, USA, Inc. (executed)
Exhibit 5 - A copy of an Assignment from The Works IICA Inc. to

Exhibit 6 - The written consent of assignee OutTask, Inc. to the

Rev. 4/02

OutTask, Inc. (executed)

deletion of John J. Pereless.

DUE DATE: March 21, 2003

M



DOCKET NO. 9570-001-27

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: John J. PERELESS et al.

ART UNIT: 3629

SERIAL NO.: 09/665,757

EXAMINER: OUELLETTE, J.

FILING DATE: September 20, 2000

FOR:

METHOD AND SYSTEM FOR RESUME STORAGE AND RETRIEVAL

### PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(a)

ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

SIR:

Pursuant to the provisions of 37 C.F.R. §1.48(a), it is hereby requested that the inventorship in the above-identified patent application be corrected to add Sean Rodwell-Simon and delete John J. Pereless as named inventors. The actions of adding Mr. Rodwell-Simon as and inventor and deleting Mr. Pereless as an inventor are necessary in order to accurately reflect the inventorship of the subject matter being claimed. The failure to name Mr. Rodwell-Simon as an inventor and the naming of Mr. Pereless as an inventor occurred without deceptive intent.

In support of this Petition, the following documents are filed herewith:

- 1. A copy of a Substitute Declaration signed by inventors Chris N. McRae and Sean Rodwell-Simon (Exhibit 1);
- 2. A Declaration by Mr. Rodwell-Simon that the error in inventorship occurred without deceptive intention on his part (Exhibit 2);
- 3. A Declaration by Wilburn Chesser regarding the determination of correct inventorship for Mr. McCrae and Mr. Rodwell-Simon and refusal of the joint misnamed inventor to sign a Declaration to correct inventorship (Exhibit 3). As indicated in the Declaration, Mr. Pereless has refused to sign a Declaration supporting a Petition under 37 C.F.R. §1.48(a) to correct

inventorship for this application. The last known address of the refusing inventor is shown in the attachments to the Declaration. By the attached documentation, Applicants submit that they have clearly shown that Mr. Pereless has received the Declaration papers and has refused to sign;

- 4. A copy of an assignment executed by John J. Pereless and Christopher N. McCrae to The Works, USA, Inc. (Exhibit 4) and a copy of an executed Assignment from The Works USA, Inc. to OutTask, Inc. (Exhibit 5);
- 5. The written consent of assignee OutTask, Inc. to the deletion of John J. Pereless as an inventor of the above-captioned patent application as a correction of an error occurring without deceptive intent (Exhibit 6); and
  - 6. The processing fee set forth in 37 C.F.R. §1.17(i).

Based on the above information, grant of the Petition to Correct Inventorship is accordingly respectfully requested.

Respectfully submitted,

PIPER RUDNICK LLP

Steven B. Kelber

Registration No. 30,073

Attorney of Record

1200 Nineteenth Street, N.W. Washington, D.C. 20036-2412 Telephone No. (202) 861-3900 Facsimile No. (202) 223-2085

Wilburn Chesser Registration No. 41,668

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Docket No.: 9570-001-27

## **Declaration, Power of Attorney and Petition**

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOI	O AND SYSTE	M FOR RESUME STORA	GE AND RETRIEVA	<u></u>			
the specificati	ion of which						
	is attached he	reto.					
	was filed on	September 20, 2000					
		as Application Serial No.	09/665,757				
		and amended on					
	was filed as P	PCT international application	1				
	Number						
	on						
	and was amen	ded under PCT Article 19					
	on		(if applicable).				
specification We (	n, including the  (I) acknowledge	that we (I) have reviewed an claims, as amended by any to the duty to disclose informing Section 1.56 of Title 37 C	amendment referred to ation known to be may	abov terial	to the		
application(designated aby checking	s) for patent or at least one cour the box, any for the box, any for the course of the	foreign priority benefits und inventor's certificate, or §30 htry other than the United Stroreign application for pate date before that of the application for pate that of the application for pate date before that of the applications are supplied to the applied	65(a) of any PCT Inter ates, listed below and nt or inventor's certifi	natio have icate,	nal appalso id or PC	olicat entif T In	tion which ied below, ternational
Appli	ication No.	Country	Day/Month/Year	F	riority	Clain	ned
					Yes		No
					Yes		No
					Yes		No
					Yes		No

We (I) hereby claim the beneft provisional application(s) listed below		5, United S	tates Code, §	119(e) of any United States
(Application Num	ber)	(F	iling Date)	
(Application Num	ber)	(F	iling Date)	·
We (I) hereby claim the benefit of any PCT International application of matter of each of the claims of this International application in the manner the duty to disclose information which available between the filing date of the of this application.	lesignating the less application is er provided by the is material to particular is the less than t	United State not disclo he first para atentability a	es, listed belo sed in the p graph of 35 last defined in 3	w and, insofar as the subject prior United States or PCT U.S.C. §112, I acknowledge 37 CFR §1.56 which became
Application Serial No.	Filing Date	~ S	status (pendir	ng, patented, abandoned)
And we (I) hereby appoint Stever Paul C. Kimball, Reg. No. 34,644 Reg. No. 41,828; Perry E. Van Over, R. Reg. No. 44,977; Patrick R. Delaney, Ping Wang, Reg. No 48,328 as our (prosecute this application and to transaction thereby request that all correspondence Services, Piper Rudnick LLP, 1200 No. We (I) declare that all statements made on information and be made with the knowledge that willful imprisonment, or both, under Section 1 statements may jeopardize the validity	Reg. No. 42, 197; Reg. No. 45, 33 my) attorneys, act all business regarding this a ineteenth Street ents made hereitelief are believ 1 false statement, 001 of Title 18	Chesser, Raymond Mass; Christop with full point the Paten application lat, N.W., Wan of our (med to be true of the Unite	Reg. No. 4 Millien, Reg. wher W. Rain owers of sub at Office com be sent to Sup ashington, D. ay) own know e; and further like so made ad States Cod	No. 43,806; Lisa K. Norton, nund, Reg. No. 47,258, and stitution and revocation, to nected therewith; and we (I) pervisor, Patent Prosecution C. 20036-2412.  Wledge are true and that all that these statements were are punishable by fine or le and that such willful false
Sean Rodwell-Simon		Residence		
NAME OF FIRST INVENTOR			, Belleville,	
A Roderett #	-	Citizen of	: U.S.A.	
Signature of Inventor		Post Offic	e Address:	Same As Above
03/11-2003				
Date				

Christopher N. MCCRAE  NAME OF SECOND JOINT INVENTOR	Residence: 5 River Bend Oceanport, NJ 07757
En Malne	Citizen of: U.S.A.
Signature of Inventor	Post Office Address: Same As Above
2-11-03	

Date

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Exhibit 2

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DOCKET NO: 9570-001-27

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT OF: John J. PERELESS, et al.

ART UNIT: 3629

SERIAL NO.: 09/665,757

**EXAMINER:** 

OUELLETTE, J.

FILING DATE: September 20, 2000

FOR:

METHOD AND SYSTEM FOR RESUME STORAGE AND RETRIEVAL

### **DECLARATION OF SEAN RODWELL-SIMON UNDER 37 C.F.R. §1.48(a)**

ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

SIR:

I, Sean Rodwell-Simon, declare as follows:

1. I am a United States citizen and have a residence of 760 Mill Street, Unit 7C, Belleville, New Jersey 07109.

2. The above identified application inadvertently did not include my name as an inventor, although I contributed to the invention, as claimed. This error in lack of inclusion of myself as an inventor occurred without deceptive intent on my part, or any other deceptive intent, to the best of my knowledge and belief.

3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that the statements are made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements jeopardize the validity of the application or any patent issuing therefrom.

Date: 3-11-2003

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DOCKET NO. 9570-001-27

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: John J. PERELESS, et al.

ART UNIT: 3629

SERIAL NO.: 09/665,757

EXAMINER: OUELLETTE, J.

FILING DATE: September 20, 2000

FOR:

METHOD AND SYSTEM FOR RESUME STORAGE AND RETRIEVAL

### **DECLARATION OF WILBURN L. CHESSER UNDER 37 C.F.R. §1.48(a)**

ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

SIR:

I, Wilburn L. Chesser, declare as follows:

- 1. I am registered to practice before the U.S. Patent and Trademark Office and have a registration number of 41,668. I have been involved in the prosecution of the subject application and am familiar with the status of the subject application and the file pertaining thereto.
- 2. Based on information I have obtained from the assignee and available inventors, I have determined that John J. Pereless was incorrectly named as an inventor, as he did not contribute to the present invention as claimed. I have also determined that Sean Rodwell-Simon was incorrectly not named as an inventor, as he did contribute to the present invention as claimed. From the information provided, I have determined that this incorrect inventorship in the application as originally filed occurred without deceptive intent.
- 3. On behalf of the assignee of the above identified utility patent application, I have made diligent efforts to confirm correct inventorship with Mr. Pereless and to obtain the signature of Mr. Pereless on a Declaration to support a Petition under 37 C.F.R. §1.48(a) to correct inventorship in the above-identified application. On or about February 26, 2002, I transmitted by United States Express Mail, Return Receipt, to Mr. Pereless at his home address a

letter indicating that I had determined that Mr. Pereless was incorrectly named an inventor and that such incorrect naming occurred without deceptive intent on the part of Mr. Pereless. In this letter, I requested that Mr. Pereless review a Declaration indicating these facts and that he sign and date the declaration. I received the return receipt for the letter to Mr. Pereless indicating receipt of the letter at his home address and signature of receipt by Mr. Pereless. (A copy of the letter of February 26, 2002, and a copy of the return receipt indicating receipt of the letter to Mr. Pereless at his home address and signature of receipt by Mr. Pereless are attached as Exhibits A and B). Also attached as Exhibit C is a copy of the Assignment executed by Mr. Pereless as to all rights Mr. Pereless could possibly have, and correctly named inventor Christopher N. McCrae.

- 4. The last known address of Mr. Pereless is: 2 Roebling Court, Leonardo, NJ 07737.
- 5. Mr. Pereless, at least by his actions, has refused to sign the attached Declaration and has not indicated any dispute as to the incorrectness of being named as an inventor as asserted to him in the letter mailed on February 26, 2002.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that the statements are made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

PIPER RUDNICK LLP

Wilburn Chesser

Registration No. 41,668

1200 Nineteenth Street, N.W. Washington, D.C. 20036-2412 Telephone No. (202) 861-3900 Facsimile No. (202) 223-2085

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WRITER'S INFORMATION

wib.chesser@piperrudnick.com PHONE(202) 861-3844 FAX(202) 861-3877

1200 Nineteenth Street, N.W. Washington, D.C. 20036-2412 www.piperrudnick.com

PHONE (202) 861-3900 (202) 223-2085

February 26, 2002

Via Certified Mail

Mr. John J. Pereless 2 Roebling Court Leonardo, NJ 07737

Re:

U.S. Patent Application

Serial No.: 09/665,757

Entitled: "Method and System for Resume Storage and Retrieval"

Our Ref: 9570-001-27

#### Dear Mr. Pereless:

It has come to our attention that the above identified application was apparently filed with incorrect inventorship. In particular, we are of the understanding others developed the original concept of the invention at OutTask, as claimed in the application. Further, we understand that this incorrect naming of you as an inventor did not occur as a result of any deceptive intent on your part.

To this end, we have enclosed a Declaration to support a petition under 37 C.F.R. §1.48(a) to correct inventorship in the application. If everything is in order, please execute and return the Declaration in the enclosed postage paid envelope.

If you have any questions or need any additional information, please do not hesitate to contact us.

Very truly yours.

Steven B. Kelber Wilburn L. Chesser

SBK/WLC/wb

Enclosures

Declaration of John J. Pereless Pursuant to 37 C.F.R. §1.48(a) (for execution & return) Return Postage Paid Envelope

CHICAGO | BALTIMORE ! WASHINGTON | NEW YORK | PHILADELPHIA | TAMPA | DALLAS | RESTON : LOS ANGELES

Exhibit B

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# 9570-001-27

SENDER: COMPLETE THIS SECTION	v .	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  Print your name and address on the reverse so that we can return the card to you.  Attach this card to the back of the mailpiece, or on the front if space permits.  1. Article Addressed to:  Mr. John Pereless 2 Roebling Court Leonardo, NJ 07737		A. Received by (Please Print Clearly)   B. Date of Deli
	<u>.</u>	3. Service Type    XR Certified Mail   Express Mail     Registered   Return Receipt for Merchandis     Insured Mail   C.O.D.
2 Article Mumber 27		4. Restricted Delivery? (Extra Fee)
2. Article Number (Copy from service label) 7000 1530 0005 5591	2027	
PS Form 3811	Domestic Retu	T Receipt 102595-00-M-095;

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Exhibit 4



Attorney Docket No. 304.1178/09809287

# CERTIFICATE ESTABLISHING RIGHT OF ASSIGNEE TO PROSECUTE UNDER 37 C.F.R. §3.73(b)

Applic	eant: John J. PERELESS, et al.
Applic	ration No.: 09/665,757 Filed: September 20, 2000
For:	METHOD AND SYSTEM FOR RESUME STORAGE AND RETRIEVAL
The \ (Name of A	Works USA, Inc. , a <u>corporation</u> , Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)
certifies t	hat it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:
A. [X]	An assignment from the inventor(s) [of the parent application, Serial No, ] of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.
OR	
B. []	A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
1.	From: To:
2.	From: To:
3.	From: To:, The document was recorded in the Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.
[]	Additional documents in the chain of title are listed on a supplemental sheet.
[X]	Copies of assignments or other documents in the chain of title are attached.
	rsigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned! e and belief, title is in the assignee identified above.
The under	signed (whose title is supplied below) is empowered to act on behalf of the assignee.
to be true; or impriso	eclare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine inment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity lication or any patent issuing thereon.
Date:	10/25/11
Name:	John J. Pereless
Title:	President /CEO
Signati	ure: × ff f. /w/

610189

## Assignment

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto *The Works USA*, *Inc.* (hereinafter ASSIGNEE) all right, title and interest in and to his invention relating to *METHOD AND SYSTEM FOR RESUME STORAGE AND RETRIEVAL* as set forth in his United States Patent Application

[]	executed cond	currently herewith			
[]	executed on_				
[X]	Serial No	09/665,757	filed_	September 20, 2000	

in and to said United States Patent Application including any and all provisionals, divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof and all applications for Letters Patent which may hereafter be filed for said invention in any country or countries foreign to the United States, and all Letters Patent which may be granted for said invention in any country or countries foreign to the United States and all divisions, continuations, additions, extensions, renewals and reissues thereof and all rights of priority in any such country or countries based upon the filing of the said application for Letters Patent of the United States which are created by any law, treaty or international convention; to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees that at any time upon request of said ASSIGNEE, its successors, legal representatives or assigns he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

Names and Signatures of University:

Names and Signatures of Witnesses:

Name: John Pereless

Name: Kean Veickmann

date 10/25/00

Name: Christopher N. McCrae

Name: CHAISTOPHER DOMINGUE &

Note: Prima facie evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.

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Exhibit 5



\*\* TOTAL PAGE. 10 \*\*

## **Assignment**

WHEREAS, The Works USA, Inc. (hereinafter referred to as "ASSIGNOR"), having a place of business at: 185 Monmouth Park Corporate Center 1, West Long Branch, NJ 07764, is the owner of the entire right, title and interest in and to U.S. Patent Application No. 09/995,757, entitled "METHOD AND SYSTEM FOR RESUME STORAGE AND RETRIEVAL", filed September 20, 2900 and the invention claimed therein (the "Invention"); and

WHEREAS, Outtask, Inc. (hereinafter referred to as "ASSIGNEE"), having a place of business at: 209 Madison Street, Suite 400, Alexandria, VA 22314, is desirous of acquiring the full and exclusive right in and to said invention and the entire right, title and interest in and to said U.S. Patent Application and any Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5.00), the receipt whereof is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR, by these presents, does sell, assign and transfer unto said ASSIGNEE the full and exclusive right in and to said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, continuations, substitutions, renewals and relatives thereof.

ASSIGNOR hereby authorizes and requests the Patent Office Officials in the United States and its territorial possessions and in any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of the entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE and said ASSIGNEE's successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by ASSIGNOR had this assignment and sale not been made.

ASSIGNOR	The Works USA, Inc.
Detai: 6-27-0/	Christopher McCrae Vice President
ASSIGNATE:	Outtask, Inc.
6/27/01 Desc:	Stephen a prangicle
	Stephen A. DePasquale

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Exhibit 6



DOCKET NO. 9570-001-27

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: John J. PERELESS et al.

ART UNIT:

3629

SERIAL NO.: 09/665,757

EXAMINER: OUELLETTE, J.

FILING DATE: September 20, 2000

FOR:

METHOD AND SYSTEM FOR RESUME STORAGE AND RETRIEVAL

#### ASSENT OF ASSIGNEE UNDER 37 C.F.R. §1.48(a)

ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

SIR:

- I, Stephen DePasquale, do hereby declare and state, as an authorized officer of OutTask, Inc., to act on behalf of OutTask, Inc., as follows:
- 1. I have examined the assignments of the above-captioned patent application, as well as the conditions of employment of each of the named inventors, and confirm that title in and to the above-captioned patent application rests in OutTask, Inc. to the best of my knowledge.
- 2. OutTask, Inc., as assignee of the above-captioned patent application, hereby consents to the addition of Sean Rodwell-Simon as an inventor and the deletion of John J. Pereless as an inventor of the above-captioned patent application as a correction of an error occurring without deceptive intent.

	Saphmanagnale
Date	Stephen DePasquale Title

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